

TENTATIVE RULINGS

CIVIL / FAMILY LAW CASE MANAGEMENT CALENDAR

For: 7/28/2008 Monday Dept: 1A

(Posted 7/24/08)

Tentative Rulings are proposed as orders to be issued at the hearing and are posted in advance for the convenience of the parties and their counsel. Any party objecting to the tentative ruling should promptly notify the opposing party of the substance of the objection with sufficient time to allow all parties, or their attorneys of record, to appear in person or by telephone at the scheduled hearing. Absent objection, the Court routinely adopts the tentative ruling as posted. Failures to appear, absent an order to appear, are deemed consent to the tentative ruling.

1. **1:00 PM** Case: CF7484 [M] CALAVERAS LUMBER v ANGELO
Type: BREACH OF CONTRACT Date Filed: 04/12/07
Event: FURTHER CASE MANAGEMENT CONF-CIVIL
Event: CONTINUED OSC RE: FILING COMPLIANCE
VACATE IF ALL POS/ANSWERS ARE FILED

PLNTFF: CALAVERAS LUMBER COMPANY INC ATTY: AIROLA & AIROLA
DEFNDT: ANGELO, DARRYL

Tentative Ruling: There is an order allowing service by publication but no proof of such publication in the file. The matter is not At-Issue and is set for further Case Management. By the next CMC, unless all defendants have filed responsive pleadings, Plaintiff is ordered to file defaults or dismissals of all defendants. The CMC is set for Dept 1A at 1:00 PM on 10/27/08.

2. **1:00 PM** Case: CF7834 [M] UNIFUND CCR PARTNERS v PEOPLES
Type: COLLECTIONS Date Filed: 12/18/07
Event: OSC RE: FILING COMPLIANCE
VACATE IF ALL POS/ANSWERS ARE FILED

PLNTFF: UNIFUND CCR PARTNERS ATTY: KENOSIAN & MIELE
DEFNDT: PEOPLES, EDNA L.

Tentative Ruling: The plaintiff has not filed a proper Proof of Service as to all named defendants. Plaintiff must file a proper Proof of Service prior to the next hearing. The matter is not At-Issue and is set for further Case Management. By the next CMC, unless all defendants have filed responsive pleadings, Plaintiff is ordered to file defaults or dismissals of all defendants. The CMC is set for Dept 1A at 1:00 PM on 11/24/08.

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3. 1:00 PM Case: CF7836 [M] UNIFUND CCR PARTNERS v HOLSHEVNIKOFF
Type: COLLECTIONS Date Filed: 12/19/07
Event: OSC RE: FILING COMPLIANCE
VACATE IF ALL POS/ANSWERS ARE FILED

PLNTFF: UNIFUND CCR PARTNERS ATTY: LANG RICHERT & PATCH
DEFNDT: HOLSHEVNIKOFF, SHERYL E

Tentative Ruling: The plaintiff has not filed a proper Proof of Service as to all named defendants. There is a declaration of diligence in the file. Plaintiff must file a proper Proof of Service prior to the next hearing. The matter is not At-Issue and is set for further Case Management. By the next CMC, unless all defendants have filed responsive pleadings, Plaintiff is ordered to file defaults or dismissals of all defendants. The CMC is set for Dept 1A at 1:00 PM on 11/24/08.

4. 1:00 PM Case: CF7950 [M] ANCHOR GENERAL INSURA v CHRISTIAN
Type: SUBROGATION Date Filed: 03/07/08
Event: CASE MANAGEMENT CONFERENCE-CIVIL

PLNTFF: ANCHOR GENERAL INSURANCE CO ATTY: REESE, HARLAN M ESQ
DEFNDT: CHRISTIAN, KIM MARIE
Service Date/Type: 05/19/08 SUB 00 00 00

Tentative Ruling: This matter awaits entry of judgment. The matter is continued for further case management, if judgment enters in the interim the following date will be vacated, Dept 1A at 1:00 PM on 11/24/08.

5. 1:00 PM Case: CF8002 [M] CAPITAL ONE BANK v SORIA
Type: COLLECTIONS Date Filed: 04/10/08
Priority Info: RULE 3.740
Event: CASE MANAGEMENT CONFERENCE-CIVIL
04/13/09 1:00 1A OSC RE: JUDGMENT

PLNTFF: CAPITAL ONE BANK ATTY: LEGAL RECOVERY LAW OFFICES IN
DEFNDT: SORIA, SYLVIA A ATTY: IN PRO PER
Service Date/Type: 04/30/08 PER Answer Date: 05/27/08

Tentative Ruling: The case is At-Issue and is set for Trial in Dept. 2 approximately 90 days out. The clerk's office shall provide a pretrial order with dates and times. Estimated trial length: 2 hour court trial.

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6. 1:00 PM Case: CV31610 [S] DARBY v SNOWDEN
Type: WRONGFUL DEATH - MV Date Filed: 04/15/05
Priority Info: 170.6JEM/LEAD CASE W/CV31640
Event: FURTHER CASE MANAGEMENT CONF-CIVIL
* 170.6 JEM *

Related cases NOT on this calendar: CV31640 , C11270 ,
PLNTFF: DARBY, TRAVIS A. ATTY: HELLER LAW FIRM
PLNTFF: DARBY, TYLER A. ATTY: HELLER LAW FIRM
PLNTFF: ELDER, CHRISTINE ATTY: FURTADO JASPOVICE & SIMONS
PLNTFF: PALMER, STEVEN ATTY: FURTADO JASPOVICE & SIMONS
PLNTFF: PALMER, ROBERT ATTY: FURTADO JASPOVICE & SIMONS
GDN/AL: ELDER, DONALD ATTY: FURTADO JASPOVICE & SIMONS
DEF/XC: SNOWDEN, STEVEN WILLIAM ATTY: CURTIS & ARATA
Service Date/Type: 06/19/05 S/M Answer Date: 07/07/05
I/DBA: SNOWDEN ROOFING
DF/X-D: COUNTY OF CALAVERAS ATTY: GUMPERT, FRANKLIN G. ESQ
Service Date/Type: 00/00/00 Answer Date: 02/21/06
C.C.: CALAVERAS COUNTY COUNSEL
X-DEFT STATE OF CALIFORNIA

Tentative Ruling: There is an approved settlement between some of the parties. Counsel have not filed timely case management conference statements informing the court of the status of the case. There is no Tentative Ruling on this case. The parties, or their legal counsel if represented, are ordered to appear in person or by telephone.

7. 1:00 PM Case: CV32338 [S] STATE OF CALIFORNIA v ALLEGHRETTI, ETAL
Type: EMINENT DOMAIN Date Filed: 01/20/06
Event: FURTHER CASE MANAGEMENT CONF-CIVIL
Event: CONTINUED OSC RE: FILING COMPLIANCE
VACATE IF ALL POS/ANSWERS ARE FILED

Related cases NOT on this calendar: CV32337 ,
PLNTFF: STATE OF CALIFORNIA ATTY: DEPARTMENT OF TRANSPORTATION
DEFNDT: FITZPATRICK, GARY R
Service Date/Type: 03/15/06 PER 00/00/00
DEFNDT: MOORE, DOROTHY N.
Service Date/Type: 03/15/06 PER 00/00/00
DEFNDT: NIXON, HELEN N
Service Date/Type: 03/15/06 PER 00/00/00
DEFNDT: WILBUR, D F
Service Date/Type: 03/15/06 PER 00/00/00
DEFNDT: WILBUR, SYLVIA
Service Date/Type: 03/15/06 PER 00/00/00
DEFNDT: WHITE, KIRKE
Service Date/Type: 03/10/06 CER 00/00/00
DEFNDT: WHITE, DARCY
Service Date/Type: 03/10/06 CER 00/00/00
DEFNDT: WESTERN AMERICA DREDGING COMPANY
DEFNDT: BROWN, F W
Service Date/Type: 03/20/07 PUB 00/00/00
DEFNDT: CALIFORNIA TRUST DEED INVESTORS
Service Date/Type: 03/20/07 PUB 00/00/00
DEFNDT: GRITTEN, VANIS
Service Date/Type: 04/04/06 CER 00/00/00

DEFNDT: HAINES, MARIANNE L			
Service Date/Type: 04/04/06 CER			00/00/00
DEFNDT: LINCOLN TRUST COMPANY			
Service Date/Type: 04/17/06 CER			00/00/00
DEFNDT: PARADISE VALLEY RADIOLOGICAL MEDI			
Service Date/Type: 03/20/07 PUB			00/00/00
DEFNDT: BROWN, DAVID			
Service Date/Type: 03/20/07 PUB			00/00/00
DEFNDT: LASCOLA, ERNEST R			
Service Date/Type: 03/20/07 PUB			00/00/00
DEFNDT: BURGER, EDWIN F			
Service Date/Type: 03/20/07 PUB			00/00/00
DEFNDT: BANK OF PENSION SERVICES			
Service Date/Type: 03/20/07 PUB			00/00/00
DEFNDT: CONTINENTAL LAWYERS COMPANY			
Service Date/Type: 05/02/06 PER			00/00/00
DEFNDT: GOODWIN, WILLIAM E			
Service Date/Type: 03/20/07 PUB			00/00/00
DEFNDT: RIDOUT, MAE V			
Service Date/Type: 03/20/07 PUB			00/00/00
DEFNDT: DANA, SAM			
Service Date/Type: 03/20/07 PUB			00/00/00
DEFNDT: MAILHOT, HENRY			
Service Date/Type: 03/20/07 PUB			00/00/00
DEFNDT: VONA, PETER			
DEFNDT: VONA, VALERIE J			
Service Date/Type: 03/20/07 PUB			00/00/00
DEFNDT: MILTON T BRADSHAW TRUST	ATTY: AKINYEMI, WOLE	ESQ	
Service Date/Type: 00/00/00	Answer Date: 06/21/06		
DEFNDT: ROBERT A COVINGTON TRUST			
Service Date/Type: 03/20/07 PUB			00/00/00
DEFNDT: WARN, G FREDERICK			
Service Date/Type: 03/20/07 PUB			00/00/00
DEFNDT: WARN, EDITH			
Service Date/Type: 03/20/07 PUB			00/00/00
DEFNDT: COBB, JOHN E			
Service Date/Type: 03/20/07 PUB			00/00/00
DEFNDT: GRACE, YVONNE L			
Service Date/Type: 03/22/07 PUB			00/00/00
DEFNDT: STOVALL, MINTA			
Service Date/Type: 03/20/07 PUB			00/00/00
DEFNDT: ALLEGRETTI, JOSEPH			
Service Date/Type: 03/10/06 CER			00/00/00
TRSTEE: WALTER CHRISTOPHER GURASICH FA			
DEFNDT: LASCOLA, JOSEPH			
Service Date/Type: 03/20/07 PUB			00/00/00
DEFNDT: HUEG, ARTHUR G.			
Service Date/Type: 03/20/07 PUB			00/00/00
DEFNDT: RIDOUT, ARTHUR D.			
Service Date/Type: 03/20/07 PUB			00/00/00

Tentative Ruling: The plaintiff has not filed a proper Proof of Service as to all named defendants. (Western America and Peter Vona) Plaintiff must file a proper Proof of Service prior to the next hearing. The matter is not At-Issue and is set for further Case Management. By the next CMC, unless all defendants have filed responsive pleadings, Plaintiff is ordered to file defaults or dismissals of all defendants. The CMC is set for Dept 1A at 1:00 PM on 11/24/08.

8. 1:00 PM Case: CV34283 [S] LANGE v SEGERSTROM
Type: CIVIL COMPLAINT Date Filed: 12/10/07
Event: FURTHER CASE MANAGEMENT CONF-CIVIL

PLNTFF: LANGE, JAY ATTY: GAGEN MCCOY MCMAHON & ARMSTRO
DEFNDT: SEGERSTROM REAL ESTATE INC ATTY: TRIEBSCHE & FRAMPTON
Service Date/Type: 00/00/00 Answer Date: 03/04/08
DBA: CENTURY 21 LAKE TULLOCH REAL E
DEFNDT: SCHILLING, ROXANNE ATTY: TRIEBSCHE & FRAMPTON
Service Date/Type: 00/00/00 Answer Date: 03/04/08

Tentative Ruling: There is no answer to the first amended complaint. The matter is not At-Issue and is set for further Case Management. By the next CMC, unless all defendants have filed responsive pleadings, Plaintiff is ordered to file defaults or dismissals of all defendants. The CMC is set for Dept 1A at 1:00 PM on 11/24/08.

9. 1:00 PM Case: CV34476 [S] MCGINNESS v MILLER
Type: QUIET TITLE Date Filed: 03/11/08
Event: CASE MANAGEMENT CONFERENCE-CIVIL

Related cases NOT on this calendar: CF7890 ,
PLNTFF: MCGINNESS, KAREN A. ATTY: HAMILTON, ALAN D. ESQ
DEFNDT: MILLER JR, JOHN F ATTY: WILLIAMS, CHRISTOPHER D. ESQ
Service Date/Type: 03/29/08 NAR Answer Date: 05/05/08
DEFNDT: MILLER, JANET P ATTY: WILLIAMS, CHRISTOPHER D. ESQ
Service Date/Type: 03/29/08 NAR Answer Date: 05/05/08

Tentative Ruling: The case is At-Issue and mediation is recommended to the parties. A Trial Setting Conference is set in Dept. 1A at 1:00 PM on 12/29/08.

10. 1:00 PM Case: CV34490 [S] HUNTER v RE/MAX
Type: BREACH OF CONTRACT Date Filed: 03/10/08
Event: CASE MANAGEMENT CONFERENCE-CIVIL

PLNTFF: HUNTER, NATHANAEAL ATTY: FOLEY, KENNETH M ESQ
PLNTFF: HUNTER, NICOLE ATTY: FOLEY, KENNETH M ESQ
DEFNDT: R E BY JONES INC A CALIFORNIA CORP ATTY: SPIERER WOODWARD CORBALIS & G
Service Date/Type: 03/25/08 PER Answer Date: 07/03/08
DBA: RE/MAX IN THE COUNTRY
DEFNDT: ROGERS, HEDY ATTY: SPIERER WOODWARD CORBALIS & G
Service Date/Type: 03/25/08 PER Answer Date: 07/03/08
DEFNDT: RODRIGUEZ, TRACY ATTY: SCOTT, W. STEPHEN ESQ
Service Date/Type: 04/08/08 PER Answer Date: 06/18/08
DEFNDT: SEMORE CONSTRUCTION COMPANY ATTY: FOTOUHI EPPS HILLGER & GILROY
Service Date/Type: 06/03/08 PER Answer Date: 07/02/08
DEFNDT: MOORE, CLARK ATTY: FOTOUHI EPPS HILLGER & GILROY
Service Date/Type: 06/03/08 PER Answer Date: 07/02/08
DEFNDT: RODRIGUEZ, FELIPE ATTY: SCOTT, W. STEPHEN ESQ
Service Date/Type: 04/08/08 PER Answer Date: 06/18/08

Tentative Ruling: The case is At-Issue and mediation is recommended to the parties. A Trial Setting Conference is set in Dept. 1A at 1:00 PM on 12/29/08.

11. 1:00 PM Case: CV34497 [S] JOHNSON v CHRISTY
Type: BREACH OF CONTRACT Date Filed: 03/13/08
Event: CASE MANAGEMENT CONFERENCE-CIVIL

PETNR: JOHNSON, DIANE K. ATTY: SAGE, WES ESQ
RESP: CHRISTY, THOMAS ATTY: GREISEN LAW CORPORATION
Service Date/Type: 00/00/00 Answer Date: 04/16/08

Tentative Ruling: The case is At-Issue and referred to Judicial Arbitration on a 60 day delay. The parties may stipulate to mediation in lieu of arbitration. Discovery to remain open until 30 days prior to trial. Trial setting is set in Dept. 1A at 1:00 PM on 12/29/08.

12. 1:00 PM Case: CV34499 [S] JONES v JONES
Type: BREACH OF CONTRACT Date Filed: 03/14/08
Event: CASE MANAGEMENT CONFERENCE-CIVIL

PLNTFF: JONES, CARLENE ATTY: DICKERSON, JOE A. ESQ
DEFNDT: JONES, DALE W ATTY: IN PRO PER
Service Date/Type: 00/00/00 Answer Date: 05/07/08

Tentative Ruling: The case is At-Issue and mediation is recommended to the parties. A Trial Setting Conference is set in Dept. 1A at 1:00 PM on 12/29/08.

13. 1:00 PM Case: CV34534 [S] SALSBERY v ROGERS
Type: OTHER NON PI, PD, WD TORT Date Filed: 03/25/08
Event: OSC RE: FILING COMPLIANCE
VACATE IF ALL POS/ANSWERS ARE FILED
08/12/08 10:00 1 PLAINTIFF'S MOTION FOR PRELIMINARY
INJUNCTION
10/06/08 1:00 1A CASE MANAGEMENT CONFERENCE-CIVIL

PLNTFF: SALSBERY, LLOYD ATTY: WEISBERG, MICHAEL ESQ
PLNTFF: SALSBERY, JUDY ATTY: WEISBERG, MICHAEL ESQ
DEFNDT: ROGERS, JANET E
AKA: KOWALSKI, JANET E

Tentative Ruling: Plaintiff has not filed a proper Proof of Service as to all defendants. The OSC is continued over to the previously scheduled CMC time and date.

14. 1:00 PM Case: CV34713 [S] POPP v AUGUST
Type: PARTITION Date Filed: 05/19/08
Event: OSC RE: FILING COMPLIANCE
VACATE IF ALL POS/ANSWERS ARE FILED
10/20/08 1:00 1A CASE MANAGEMENT CONFERENCE-CIVIL

PLNTFF: POPP, DONNA
DEFNDT: AUGUST, LYDIA
DEFNDT: REPOSA, LISA MARIE

Tentative Ruling: Plaintiff has not filed a proper Proof of Service as to all defendants. The OSC is continued over to the previously scheduled CMC time and date.

15. 2:00 PM Case: CV34532 [S] MOORE v MOORE
Type: DISSOLUTION WITHOUT MINOR CHIL Date Filed: 03/24/08
Event: CASE MANAGEMENT CONFERENCE-FAMILY LAW P= 8

PETNR: MOORE, KAREN J ATTY: CILENTI, STEVEN ESQ
RESP: MOORE, MARK A ATTY: WEISBERG, MICHAEL ESQ
Service Date/Type: 04/02/08 PER Answer Date: 04/03/08

Tentative Ruling: Petitioner is ordered to serve and file a Final Declaration of Disclosure (FL-141) prior to the next hearing. Respondent is ordered to serve and file a Final Declaration of Disclosure (FL-141) prior to the next hearing. The matter is set for Settlement and Trial Setting Conference (See Local Rule 5.9(b)) with Settlement Conference Statements due 5 court days prior to hearing at 3:00 PM in Dept. 1A on 10/27/08.

16. 2:00 PM Case: CV34545 [S] CASEY v CASEY
Type: DISSOLUTION WITHOUT MINOR CHIL Date Filed: 03/27/08
Event: CASE MANAGEMENT CONFERENCE-FAMILY LAW P= 8

Related cases NOT on this calendar: CV34648 , CV34607 ,
PETNR: CASEY, BRIAN ATTY: YANKOVSKY, KRISTINE ESQ
RESP: CASEY, MICHELLE ANN ATTY: WEISBERG, MICHAEL ESQ
Service Date/Type: 00/00/00 Answer Date: 04/30/08

Tentative Ruling: Petitioner has alleged nullity. The issue of nullity is bifurcated and set for Settlement and Trial Setting Conference (See Local Rule 5.9(b)) with Settlement Conference Statements due 5 court days prior to hearing at 3:00 PM in Dept. 1A on 8/25/08. Case management on remaining issues is continued to that date.

17. 2:00 PM Case: CV34165 [S] SMITH v SMITH
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 10/22/07
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW

PETNR: SMITH, SUSAN I. ATTY: IN PRO PER
RESP: SMITH, JERRY A. ATTY: IN PRO PER
Service Date/Type: 00/00/00 Answer Date: 02/15/08

Tentative Ruling: There are temporary custody and support orders. Petitioner is ordered to serve and file a Final Declaration of Disclosure (FL-141) prior to the next hearing. Respondent is ordered to serve and file a Final Declaration of Disclosure (FL-141) prior to the next hearing. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 2:00 PM on 10/27/08.

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18. 2:00 PM Case: CV34284 [S] CABLE v CURLEY
Type: ESTABLISH PARENTAL RELATIONSHI Date Filed: 12/11/07
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW
RESPONDENT MAY APPEAR BY COURTCALL

Related cases NOT on this calendar: CV34522 ,
PETNR: CABLE, FALLON ATTY: IN PRO PER
RESP: CURLEY, JOSHUA ATTY: IN PRO PER
Service Date/Type: 00/00/00 Answer Date: 04/22/08

Tentative Ruling: It appears the parties continue to have trouble with the custody and visitation plan. The matter is set for Settlement and Trial Setting Conference (See Local Rule 5.9(b)) with Settlement Conference Statements due 5 court days prior to hearing at 3:00 PM in Dept. 1A on 9/29/08. (Respondent may appear by telephone but must contact the clerk's office 10 days in advance of hearing to make arrangements)

19. 3:00 PM Case: CV33844 [S] THURSTON v HOWDEN
Type: ESTABLISH PARENTAL RELATIONSHI Date Filed: 06/28/07
Priority Info: CONFIDENTIAL FILE
Event: FURTHER SETTLEMENT CONFERENCE-FAMILY LAW

Related cases NOT on this calendar: CV34802 ,
PETNR: THURSTON, MIKE ATTY: IN PRO PER
MINOR: THURSTON MINOR P.D.: RUSSO, ARLEEN ESQ
RESP: HOWDEN, JOLLEEN ATTY: IN PRO PER
Service Date/Type: 09/07/07 PER 00/00/00
AKA: SEGAL, JOLLEEN HOWDEN

Tentative Ruling: There is no Tentative Ruling on this case. The parties, and their legal counsel if represented, are ordered to appear.
